



***MOTORIST SERVICE SIGNING PROGRAM
(Logo Sign Program)***



***NEW HAMPSHIRE DEPARTMENT OF
TRANSPORTATION
BUREAU OF TRAFFIC***

Adopted October 16, 2007

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

**ADMINISTRATIVE RULE PART Tra 310
LOGO SIGNING PROGRAM FOR MOTORIST SERVICES
(LOGO PROGRAM)**

(Exempt under RSA 541-A)

Adopted
October 16, 2007

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Adopt Tra 310 (exempt under RSA 541-A), to read as follows:

PART Tra 310 LOGO SIGNING PROGRAM FOR MOTORIST SERVICES

Tra 310.01 Purpose.

(a) This purpose of these rules is to describe the process used to issue permits for logo sign panels displaying information about motorist services for the services of gas, food, lodging, and camping.

(b) These rules implement state law found at RSA 230:49, and a federal regulation entitled the "Manual on Uniform Traffic Control Devices (MUTCD)", adopted by the Federal Highway Administration (FHWA) in accordance with 23 U.S.C. 101 (a), 104, 109(d), 114 (a), 217, 315, and 402(a); 23 CFR 1.32 and 49 CFR 1.48 (b), as amended. The manual is found at 23 CFR Part 655 Subpart F Sec. 655.601(a), and is available at the FHWA website at <http://mutcd.fhwa.dot.gov>. The electronic version posted on the MUTCD website is the official FHWA publication. These rules also incorporate material found in a companion document entitled, "Standard Highway Signs Book" found at http://mutcd.fhwa.dot.gov/ser-shs_millennium.htm.

(c) Pursuant to RSA 236:1, RSA 230:49, RSA 265:22, RSA 41:11, RSA 47:17, and RSA 236:84, the portions of the most recent edition of the "Manual on Uniform Traffic Control Devices," dealing with specific service signs are adopted by the commissioner to establish the standards for traffic control and use of the right of way in New Hampshire.

Tra 310.02 Scope. Specific service signs and logo sign panels are permitted by Chapter 2F of the Manual on Uniform Traffic Control Devices (MUTCD). Pursuant to RSA 230:49, a logo sign panel can only be erected upon a specific service sign located in New Hampshire on a multi-lane divided limited access highway, and their related facilities. Specific service signs are not to be deemed as advertising, but rather serve the purpose of providing road users with business identification and directional information.

Tra 310.03 Definitions.

(a) "Advertising device" means "advertising device" as defined in RSA 236:70, I.

(b) "Bureau" means the bureau of traffic within the New Hampshire department of transportation.

(c) "Closed" means that the qualifying activity shown in the text of the sign is not open for use by the road user, regardless of the fact that other activities at the business are still in operation, including but not limited to viewing for future sales or usage, maintenance activities, acceptance of deliveries, or services available by chance or appointment, unless otherwise specified in Tra 310.

(d) "Erect" means "erect" as defined in RSA 236:70, IX.

(e) "Limited access highway" means a highway especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement or only a limited right or easement of access, light, air, or view by reason of the fact that their property abuts on such limited access highway or for any other reason, to which the means of ingress and egress is limited to interchange ramps.

(f) "Logo sign panel" means a specific service sign panel provided by a service to identify the service's trademark or name, or both, and attached to a specific service sign assembly.

(g) "Motorist-oriented business" means any one of those businesses determined as eligible under Tra 310.11 for a logo sign panel.

(h) "Manual on Uniform Traffic Control Devices" (MUTCD) means the most recent edition of the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration (FHWA) in accordance with 23 U.S.C. 101 (a), 104, 109(d), 114 (a), 217, 315, and 402(a); 23 CFR 1.32 and 49 CFR 1.48 (b), as amended.

(i) "On-site" means located on the service premises.

(j) "Seasonal" means a service that is open at least 6 consecutive months, at least 3 of which are on a full time basis.

(k) "Specific service" means a service essential to the road user providing fuel, meals, lodging, or camping facilities.

(l) "Specific service sign" means a guide sign that provides road users with business identification and directional information for services, to which one or more logo sign panels are attached.

(m) "Specific service sign assembly" means the structure to which one or more specific service signs are attached and which is erected along an off-ramp to direct road users to a particular service(s).

(n) "Specifications" means signing standards as set forth in Tra 310.14 and Tra 310.17.

(o) "Trailblazing" means one or more signs designed to direct the motorist from the point of installation of a logo sign panel through intermediate traffic movements to the premises depicted on the logo sign panel.

(p) "Urban area" means an area as delineated on the urban area boundary maps on file with the department and as established by the commissioner and responsible local officials of the state of New Hampshire, and which have been approved by the secretary of the United States Department of Transportation or his/her designee.

(q) "Visible" means capable of being seen, whether or not legible, without visual aid by a person of natural acuity.

Tra 310.04 No Variation from National Standards. Because the MUTCD specifies the national standard for specific service sign assemblies and logo sign panels, the department shall not recognize or enforce any provision of any municipal ordinance that seeks to change or vary the specifications for such signs.

Tra 310.05 Specific Service Signs; Placement.

(a) Pursuant to RSA 236:1 and the MUTCD, the commissioner shall establish, relocate, or remove specific service signs on limited access facilities in New Hampshire that do not comply with Tra 310.

(b) No specific service sign assembly shall contain more than 6 logo sign panels.

(c) No more than 3 types of qualifying services shall be represented on a specific service sign or specific service sign assembly.

(d) No service type shall appear on more than one specific service sign assembly at a single interchange.

(e) No applicant shall be represented on more than one logo sign panel at a single interchange, even if such applicant offers more than one type of eligible service.

(f) The number of specific service signs along an interchange ramp, regardless of the number of service types displayed, shall be limited to a maximum of 4. In the direction of traffic, successive specific service signs shall be for camping, lodging, food, and gas services, in that order.

(g) A specific service sign shall display:

- (1) The legend "gas," "food," "lodging," or "camping";
- (2) An appropriate directional arrow(s); and
- (3) The related logo sign panels.

Tra 310.06 The State Permit System.

(a) No logo sign panel shall be erected upon a specific service sign assembly unless the department has granted a permit for the logo sign panel.

(b) The initial permit process shall begin with the submission of a completed written request for signage to the department, upon a form provided for that purpose, together with the appropriate fee, as provided in Tra 310.07.

(c) The request for signage shall be reviewed in accordance with Tra 310.08.

(d) If the request for signage meets all of the criteria in Tra 310.08, it shall be granted, and a permit shall be issued to erect the signage.

(e) If the request for signage fails to meet all of the criteria in Tra 310.08, it shall be denied. The applicant may either alter the request to meet the criteria in question, or request a hearing in accordance with Tra 310.24.

(f) Renewal of the permit following the initial permit period shall be obtained using the procedure found in Tra 310.20.

Tra 310.07 Request for Signage; Fee.

(a) An applicant requesting an initial permit for a logo sign panel shall provide the following information on a form furnished by the bureau:

- (1) The name and address of the applicant;
- (2) The applicant's telephone number, or other means of contacting the applicant during regular business hours;
- (3) The name under which the applicant does business, if different from the name in (a)(1) above;

- (4) The highway interchange where the proposed sign panel is to be located by route, exit number, and direction of travel;
- (5) The business location to be signed, showing the travel distance and direction of travel from the intersection of the end of the exit ramp with the intersecting highway to the location, to nearest 1/10 mile;
- (6) The business classification as described in Tra 310.11 under which the applicant believes his or her activity qualifies for a logo sign panel;
- (7) Details of times the business provides qualifying services to the public, including:
 - a. Business hours for each day of the week the business operates; and
 - b. Any seasonal variations to such hours or days of operation;
- (8) Written assurance that the business conforms with all applicable laws concerning the provision of public accommodations without regard to race, religion, color, age, sex, disability, or national origin;
- (9) A listing of the state and local licenses, permits, certificates, or approvals held by the applicant that entitle it to provide gas, food, lodging, or camping services to the public in New Hampshire;
- (10) The text proposed for the sign;
- (11) Whether the applicant owns, leases, or maintains an outdoor advertising device in the state, either under its own name, or under the name of any entity in which the applicant holds a controlling interest;
- (12) The signature of the applicant, including the title and authority of the person signing if applying for a partnership, trust, corporation, or limited liability company;
- (13) The date of the signature; and
- (14) The fee of \$350.00 as specified in Tra 310.19.

(b) The bureau shall review the request for signage in accordance with Tra 310.08.

Tra 310.08 Review of the Request for Signage.

(a) The bureau shall approve a request for signage and issue a permit to erect the signage unless an office review or a field review of the proposed location discloses an issue sufficient to deny the request under any provision of Tra 310.08.

(b) The bureau shall conduct an office review of the request for signage and shall deny the application if:

- (1) The applicant has failed to provide all required information on the request form;

- (2) At the time of application, the applicant maintains an outdoor advertising device for any business entity in violation of the outdoor advertising law, RSA 236: 69-89; or the Highway Beautification Act of 1965, 23 U.S.C. Section 131, and its regulations;
 - (3) The applicant seeks to erect a logo sign panel at a location where a specific service sign assembly cannot be erected, or has been removed or relocated for construction or maintenance purposes;
 - (4) The applicant's business location does not exist, provided that a location under construction, or a closed business planning to reopen under new management, may submit an application up to 3 months in advance of the scheduled date of the business opening;
 - (5) There are restrictions upon use of the facility that significantly limit the ability of a road user to use the facility or its services, including but not limited to the following:
 - a. The facility is open to the public for less than 3 consecutive months during its business season;
 - b. The facility requires minimum periods of use exceeding those that are reasonable and appropriate to the category of services;
 - c. Membership in an organization is required as a precondition to use;
 - d. Services are denied unless they have been reserved in advance; or
 - e. Any other restriction or requirement that results in the consistent denial of services to the road user not residing in the area of the facility; or
 - (6) The applicant seeks approval for a service that is not eligible for signage under Tra 310.
- (c) The bureau shall conduct a field review of the highway interchange and the business location.
- (d) The bureau shall deny the request for signage if:
- (1) The proposed text contains information that conflicts with an existing traffic control device;
 - (2) There is no available space for the service on an existing or proposed specific service sign assembly, and no existing logo sign panel is subject to being removed from the sign assembly pursuant to Tra 310.21;
 - (3) The business location is beyond the maximum distance from an interchange allowed in Tra 310.09;
 - (4) The access to the business requires the road user to make an illegal traffic movement to enter the service from the intersecting highway located at the end of the off ramp;
 - (5) The highway as constructed prevents the road user from conveniently returning to the original direction of travel by using legal traffic movements or referring to clearly marked supplemental signage indicating the required movements back to the interchange;

(6) The access to the business requires the road user to effectively reverse their direction of travel by using an intersecting highway to access a service located at a previous interchange; or

(7) There is another interchange in the same direction of travel from which the road user could travel a shorter distance from the exit ramp terminal to the applicant's service, even if the specific service sign assembly for the specific type of service is full.

(e) If a field review shows that the business location is not located on the highway intersecting the end of the exit ramp or that the entrance of the business location is not visible from that highway, the bureau shall require the applicant to provide trailblazing signage from the intersecting highway to the business location, pursuant to Tra 310.13.

(f) All permits issued shall be subject to the following standard conditions:

(1) The permit shall expire on the April 1 next following the date of issue;

(2) Logo sign panel permits shall not be transferable;

(3) If a permitted business or entity is transferred to a new owner, a new original initial application shall be submitted for review and approval;

(4) The permit holder shall inform the bureau of changes in the name, address, or eligible service provided within 10 working days of the change;

(5) The permit holder shall inform the bureau of any dates the service will be closed to the public if greater than 12 days in any calendar month;

(6) A logo sign panel remains the property of the permit holder, provided that if the panel is removed from a specific service sign assembly in accordance with Tra 310, the holder shall pick up the panel at the bureau within 30 days, or it shall be deemed to be abandoned to the use of the state; and

(7) All permittees shall comply with the requirements of the department set forth in Tra 310 for manufacture, installation, and maintenance of a logo sign panel.

Tra 310.09 Priorities for Signage.

(a) For each category of service, the business location closest to the end of the exit ramp shall be given priority for a logo sign panel.

(b) If the number of qualifying business locations seeking a logo sign panel at an interchange exceeds the spaces available, one or more permit holders shall be required to remove their logo sign panel(s) from an existing specific service sign assembly in accordance with criteria established in Tra 310.22.

(c) The maximum distance that the service establishment shall be located from the end of an off-ramp is:

Table 310-1 Maximum Distance Allowable

Service	Rural Ramp	Urban Ramp
Gas	3 miles	1 mile
Food	3 miles	1 mile
Lodging	3 miles	1 mile
Camping	5 miles	5 miles

(d) The distances noted in (c) above shall be waived by the bureau at an individual ramp location for a business location that otherwise qualifies under Tra 310 if:

- (1) There is room for the logo sign panel on an existing assembly at the interchange;
- (2) The actual distance to the qualifying business location will not result in confusion or unreasonable inconvenience to the road user; and
- (3) The applicant acknowledges that:
 - a. The panel is not entitled to the time protection afforded by the closer business bumping criteria found in Tra 310.21, and
 - b. The department shall require the panel to be removed at any time an application of a higher priority is received and approved.

Tra 310.10 Interchange Eligibility Criteria.

(a) The bureau shall apply the following criteria when determining whether a particular interchange or exit ramp has physical characteristics capable of supporting logo signage without detriment to motorist safety:

- (1) Sufficient length exists along the exit ramp to permit a minimum 100-foot spacing between logo signs or official signs, or both;
- (2) In instances of curvature, ramp curvature does not interfere with sight distances necessary for motorists to view the signs;
- (3) Whether there are other sight distance restrictions which impede the safe and orderly flow of traffic or restrict a motorist's ability to respond to official guide, warning, or regulatory sign(s); and
- (4) Whether there are any other geometric limitations or space restrictions, including, but not limited to, situations at interchanges which exit onto traffic circles or access toll facilities which may negatively impact the safety of the traveling public.

(b) Interchanges with other limited access highways shall not be eligible for specific service signs.

(c) In addition to the criteria set forth in (a) and (b) above, logo signs shall be prohibited at interchanges or exit ramps where one or more of the following conditions exist:

- (1) An area of high traffic congestion, including, but not limited to:

- a. Within a central business district; or
 - b. A location where long traffic delays frequently occur;
- (2) A location where long sections of bridge structure, retaining wall, or installations of noise barriers limit the placement of ground-mounted logo signing;
- (3) A location where the installation of logo signs would interfere with safety, including but not limited to, maintenance of traffic flow.

(d) At interchanges or exit ramps where limitations outlined in Tra 310.10(a) through (c) preclude the installation of a full compliment of all authorized logo sign panels, meaning 6 panels per type of motorist service, a partial number of signs shall be allowed so long as the safety and convenience of the traveling public can be maintained based on the criteria in Tra 310. The total number of allowable signs shall be based upon a sequential priority of services as follows: gas, food, lodging, and camping. Initial installation of lower priority signs shall be allowed until a request for a higher priority service is made and approved. Bumping criteria for partialservice signage shall follow the criteria established in Tra 310.22.

Tra 310.11 Eligible Services.

(a) Prior to approval of a request for signage, an applicant shall show that it possesses any license required by state law or municipal ordinance to provide the service.

(b) Gas services shall provide the following during all hours of operation:

- (1) Offer for sale on the premises motor oil, water, and at least 2 grades of motor fuel;
- (2) Be open for business continuously from at least 8:00 am to 6:00 pm at least 6 days per week;
- (3) Sanitary restroom facilities intended and signed for public use; and
- (4) An on-premise attendant, or person who is reasonably available, to take money, make change, and provide access to the required facilities.

(c) Food services shall provide the following during all hours of operation:

- (1) Indoor seating for at least 20 patrons at tables, counters, or a combination of both which is designated for the exclusive use of the applicant;
- (2) Continuous service hours which shall cover a minimum of 2 of the standard meals of breakfast, lunch, or dinner, at least 6 days per week.
- (3) Sanitary restroom facilities for public use; and
- (4) If located in a structure together with establishments other than the food service, including, but not limited to a mall, plaza, or complex:
 - a. An entrance leading directly to the food service establishment clearly marked along the intersecting highway;

- b. Additional trailblazing signage inside the mall, plaza, or complex, directing to the entrance of the food service establishment, if the direct entrance to the establishment is not visible from the intersecting highway;
- c. A clearly marked entrance to the food service establishment, signed on the outside of the structure;
- d. Access to the food service establishment without having to pass through an unrelated service not eligible for a logo sign, provided that a gift shop or area operated as an accessory part of the food service establishment shall not be considered an unrelated service; and
- e. A logo sign panel that does not contain a trade name, trademark, or information unrelated to the specific business name under which the food service commonly operates.

(d) A lodging service shall:

(1) However styled, provide the following during all hours of operation:

- a. Overnight accommodations 7 nights per week during its operating season;
- b. Bathing facilities for patrons;
- c. One or more telephones available for use by patrons; and
- d. On-site parking, or valet parking services, for all patrons;

(2) If styled as a hotel, motel, inn, or cabin, provide a minimum of 10 separate sleeping rooms offered individually for rent to the public;

(3) If styled as a "bed and breakfast":

- a. Provide a minimum of 3 separate sleeping rooms offered individually for rent to the public;
- b. Offer one or more meals to guests in a dining area separate from the sleeping rooms; and
- c. Be principally engaged in the business activity of providing overnight lodging;

(4) However, styled, that contains units owned on a timeshare basis by a person or entity other than the applicant, in addition to the requirements of (d)(1) above:

- a. Provide written assurance to the bureau that 10 or more units are identified each day as available for the overnight accommodation of a traveler who is not a timeshare guest or has not pre-registered at the facility;
- b. Be a facility subject to the terms and regulations of RSA 353, and

c. Be a facility registered with the department of revenue administration for the collection of meals and rentals tax due and owing to the state.

(e) Camping services shall provide the following during all hours of operation:

(1) A minimum of 10 individual marked campsites available on a first-come, first-served basis to road users, provided that parking lots, service areas, holding areas, and campsites offered for seasonal rental shall not be considered as campsites for this criteria;

(2) Sanitary rest room and bathing facilities to patrons during all seasons of operation;

(3) A supply of drinking water to patrons;

(4) A telephone for public use; and

(5) If the camping facility contains units owned on a timeshare basis by a person or entity other than the applicant, in addition to the requirements of (1) – (4) above:

a. Provide written assurance that 10 or more units are identified each day as available for the overnight accommodation of a traveler who is not a timeshare guest or is not pre-registered at the facility; and

b. Be a facility registered with the department of revenue administration for the collection of meals and rentals tax due and owing to the state.

Tra 310.12 Seasonal Businesses; Coverage of Logo Panels; Fee.

(a) The department shall cover the logo panels of a seasonal business for the time period in which the business is closed.

(b) It shall be the responsibility of the business to notify the bureau of the business' opening and closing dates.

(c) The business shall be charged a fee in accordance with Tra 310.19.

Tra 310.13 Requirements for Supplemental Signing and Trailblazing.

(a) If a service location is not located on the highway intersecting the end of the ramp, a trailblazing sign or signs shall be required as a condition of approval of the application.

(b) Trailblazing signage shall consist of or coordinate with other legal supplemental signing programs, including but not limited to, tourist oriented directional signs and outdoor advertising permitted pursuant to RSA 236:72, rules of the department, and municipally regulated sign programs.

(c) Trailblazing signs shall be legally permitted and erected prior to erection of a logo sign panel on a specific service sign assembly.

Tra 310.14 Sign Panel Design.

(a) Upon approval of a request for signage, the applicant shall work with the bureau to design, fabricate, and install a logo sign panel that:

(1) Accurately meets the specifications set forth in Tra 310.17; and

(2) Is fabricated and installed to the performance standards set in the MUTCD and Tra 310.

(b) The message of the logo sign panel shall be limited to the following elements, as mutually determined by the applicant and the bureau:

(1) Either a. or b. below:

a. In accordance with Tra 310.17:

1. A standard service symbol or a logo design or legend;

2. A standard service symbol and a logo design or legend; or

3. A logo design or legend, or both; or

b. A textual message with a maximum of 3 lines of text; and

(2) A supplemental message, as follows:

a. "24-HR" on gas or food logos if the facility is open 24 hours a day, 7 days a week;

b. "Diesel" on gas logos for those facilities where diesel fuel is available; and

c. "No Trucks" or "No Buses" if the facility does not have adequate parking for large vehicles.

(c) The language, arrangement and spacing of the textual message shall be limited as follows:

(1) The text shall be submitted to the bureau for review prior to fabrication of the sign panel;

(2) Each line of the message shall contain no more than 12 characters, including letters, numbers, and spaces;

(3) The minimum legend character size shall be 4 inches;

(4) Slogans, telephone or fax numbers, street addresses, electronic mail or Internet addresses, ham radio call numbers, or messages that resemble any official traffic control device shall not be permitted;

(5) If necessary to distinguish between 2 businesses with the same or a similar name, a descriptive term may be added, as determined on a case-by-case basis;

(6) Community or street names that are not part of the participant's business or company name shall not be acceptable;

(7) Product names that are not part of the participant's business or company shall not be acceptable; and

(8) Recognition of alcohol or tobacco products is not permitted under any circumstance.

Tra 310.15 Sign Panel Materials and Fabrication Standards.

(a) The specifications for logo sign panel materials and quality of fabrication are set forth in Tra 310.17.

(b) All costs for materials and initial fabrication of the logo sign panel are the responsibility of the applicant.

Tra 310.16 Sign Installation and Replacement Requirements.

(a) All logo sign panels and required seasonal cover panels shall be installed by the bureau on specific service sign assemblies in the manner set forth in Tra 310.17.

(b) All costs for logo sign panel and seasonal cover panel installation shall be the responsibility of the applicant.

(c) If a logo sign panel must be replaced due to theft, damage, destruction, or wear and tear, all costs for the fabrication and installation of the replacement shall be the responsibility of the applicant.

Tra 310.17 Design and Installation Specifications for Logo Sign Panels.

(a) The logo sign panel size and shape shall be rectangular in shape, and shall be 18 inches high and 30 inches wide.

(b) Logo sign panels shall be fabricated and provided by the applicant on aluminum sheeting substrate with a minimum thickness of 0.080 inch.

(c) The corner radius of a logo sign panel shall be 1-½ inch.

(d) The border of a logo sign panel shall be a minimum of ½ inch.

(e) Logo design shall be limited to a symbol or trademark, a legend message, or a symbol or trademark and a legend message, identifying the name or abbreviation of the specific business under which it commonly operates. Logos shall not be approved that resemble an official traffic control device, including, but not limited to, a stop or yield sign.

(f) All logo colors shall be made from either standard type II reflective sheeting or transparent inks on standard type II white reflective sheeting.

(g) The logo colors shall utilize any contrasting combination of standard highway colors, which shall be limited to:

(1) White;

(2) Yellow;

(3) Red;

(4) Blue;

- (5) Green;
- (6) Orange;
- (7) Brown; and
- (8) Black.

(h) Transparent inks custom-mixed to correlate with standard trademarks shall provide good readability during both day and night hours. Colors for night readability shall be at least as reflective as the standard silk-screened blue color used by the department and as determined by instrument testing.

(i) Logo legends that are part of regionally or nationally recognized trademarks shall be as large as practicable.

(j) A logo sign panel shall be finished in a neat manner, free of cracks, wrinkles, blisters, discoloration, burrs, buckles, or warps and shall present a smooth light surface of uniform color.

Tra 310.18 Effect of Changes at Participating Businesses.

(a) If the ownership of a participating business changes, the existing logo sign panel permit shall expire.

(b) The new owner of a participating business may apply for a permit to continue participation in the program.

(c) Failure to apply for a permit within 30 days of transfer of the business shall be treated as a withdrawal from the program, and the privilege to participate in the logo program shall be offered to the next qualified business.

(d) If the change in ownership does not require a change in the information on the logo sign panel, the bureau shall treat the application as a renewal application.

(e) If the change in ownership results in a different use of the premises, or any changes to the installation, the bureau shall treat the application as an original application.

Tra 310.19 Fees.

(a) The department shall charge and collect the following fees for services rendered to applicants in order to recover the cost of the service:

- (1) Initial application review and logo sign panel installation, \$350.00;
- (2) Replacement of worn, vandalized, or damaged panels, \$350.00 per installation;
- (3) A fee for seasonal logo sign panel, \$50.00 per sign panel, due annually at time of renewal;
- (4) Annual renewal of a logo sign panel permit, or review of application upon change in ownership of a participating business which does not require a change of the logo sign panel, \$50.00 per logo sign panel; and

(5) Review of an application as a result of a change in ownership and which results in a modification of the logo sign panel, \$350.00 per installation.

(b) The fees listed in (a) above are refundable only if the permit is denied or the application is withdrawn.

Tra 310.20 Renewal of Annual Permit.

(a) A holder of an annual permit for a logo sign panel that wishes to renew the permit shall provide the following information to the bureau, on a form furnished by the bureau:

- (1) Signature of the permit holder, including capacity and authority if signing for a trust, partnership, corporation, or limited liability company;
- (2) Date of the renewal application; and
- (3) Any change in the ownership, services provided, or hours of operation of the business location depicted upon the logo sign panel.

(b) Upon receipt of the completed application for renewal and the required fee, the bureau shall review the application. The bureau shall issue a renewal permit unless information contained on the application or obtained from a field review of the service indicates that the service no longer qualifies for a logo sign panel under Tra 310.

(c) If the application for renewal of a logo sign panel permit is denied, the bureau shall provide written notice explaining why the application could not be approved, and how the applicant may request a hearing to review the decision.

Tra 310.21 Removal or Relocation of Specific Service Sign Assemblies.

(a) If department projects or operations necessitate the temporary relocation of specific service sign assemblies, the department shall:

- (1) Store logo signs removed temporarily;
- (2) Determine whether changes to existing logo sign panels are needed as a result of changes in routing;
- (3) Assess to the logo sign panel permit holder the cost of:
 - a. Installing new or added logo sign panels; and
 - b. New or added trailblazing signs; and
- (4) At the conclusion of the project or operation, relocate such sign and its logo sign panels to a new location at department expense, if the new location can accommodate the sign;

(b) The department shall not reimburse to the permit holder any portion of the annual permit fee when a logo sign is removed under (a) above, even if a logo sign is not re-erected upon the highway.

(c) If a specific service sign assembly is to be permanently removed by the department for any reason:

- (1) The cost of the logo sign panel removal shall be borne by the department;
- (2) The logo sign panel shall be removed and stored by the bureau for 30 days, provided that the department shall not be responsible for:
 - a. Damage to any logo sign panel occasioned by removal, transport or storage; and
 - b. Storage over 30 days; and
- (3) No reimbursement shall be made to the permit holder for the unused portion of the annual permit fee.

Tra 310.22 Removal of Logo Sign Panel in Favor of Closer Business; Bumping Process.

(a) If review of an application for a logo sign permit determines that a specific service sign assembly is filled to capacity for the requested service, the bureau shall determine if the requested logo sign is of a higher priority than an existing logo sign panel under the criteria established in Tra 310.09.

(b) If an existing service location is of lower priority than the service applied for, the bureau shall:

- (1) Approve the application for the higher priority logo sign panel on the condition that the existing logo sign panel may be lawfully removed;
- (2) Notify the permit holder for the existing logo sign panel that:
 - a. An application for a service of higher priority has been received and approved;
 - b. The existing panel has been bumped and is subject to removal; and
 - c. The permit holder may request a hearing to contest the removal of the existing panel.

(c) Notwithstanding (a) and (b) above, no permit holder shall be bumped:

- (1) During the first 24 calendar months following installation of their logo sign panel; or
- (2) In favor of a service location that is already signed for another type of service at the same interchange.

(d) Removal of existing logo sign panels shall occur in sequential order by type of service beginning with the participating service located farthest from the interchange and proceeding inward toward the closest participating service.

Tra 310.23 Revocation of Permit for Cause.

(a) The bureau shall revoke an annual permit, or any renewal of an annual permit, based upon the following conduct by the permit holder:

- (1) The permit holder voluntarily withdraws from the program;

- (2) The permit holder fails to file a renewal application or pay the required fee or fees by April 1 of any given year;
- (3) The permit holder closes the business depicted upon the logo sign panel, or otherwise abandons the service depicted for a period in excess of 14 days in any calendar month;
- (4) The permit holder fails to advise the bureau of changes in the ownership or service characteristics of the depicted service;
- (5) The permit holder has provided any materially false information on the application or request for renewal; or
- (6) If a seasonal business fails to notify the department in a timely manner of the establishment's dates of closing and opening.

Tra 310.24 Hearings.

(a) The location, size, materials, and criteria for installation of specific service sign assemblies and directional or supplemental messages are within the sole discretion of the commissioner pursuant to RSA 236:1 and are not subject to review in the administrative hearings process.

(b) The denial of an application for a logo sign panel or termination or revocation of an existing logo sign panel permit may be appealed by filing a request for a hearing.

(c) Requests for hearing shall be submitted in writing to: "State of New Hampshire, Department of Transportation, Bureau of Traffic, P.O. Box 483, Concord, NH 03302-0483".

(d) Requests for hearings shall be filed within 20 calendar days of the date the letter of denial or revocation is received by the applicant or permit holder.

